

DOMESTICS' CROSS-CULTURAL NEWS

INTERCEDE for the Rights of Domestic Workers, Caregivers, and Newcomers

Toll Free 1-877-483-4554

DECEMBER 1999



HOW ABOUT THE HUMAN RIGHTS OF MIGRANT DOMESTIC WORKERS?

The government wants to review the Canadian Human Rights Act to ensure that Canada is keeping up with changing times and that it is complying with international Conventions that it has agreed to and signed.

There have been many criticisms of the Act, particularly from those who should benefit from its protection such as women, people of colour, gays and lesbians, people with disability, aboriginal people, the poor and other minority and disadvantaged groups.

Among their criticisms are: that progress has been too slow in attaining real, substantive equality in Canadian society; they complain about the slow process of resolving human rights complaints; over all, they feel that the Act does not effectively address systemic discrimination.

By April 8, 2000, a review panel appointed by the Minister of Justice will present a report with recommendations to improve the Canadian Human Rights Act. This review panel consisting of non-government appointees held a series of consultations last September and will be considering written submissions which are due this December 1st.

As a participant in a round table of presentations to the review panel that was held in Toronto, INTERCEDE called attention to the lack of protection and violation of human rights of those people who are in Canada on a temporary basis such as domestic and caregiver workers in the Live-in Caregiver Program, as well as other migrant workers in other sectors of the economy.

We also called attention to the absence of protection and violation of human rights of those people who have lost their legal status, those who, for any number of reasons, are living and working in Canada with no proper immigration documents.

We posed the question: Will Canada tolerate the lack of protection or violation of the human rights of an increasing number of people who are living and working within the country, who are discriminated against on the basis that they do not hold a Canadian passport or an immigrant visa?

(Con't. pg. 2)

DEC.6 NATIONAL DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

It has been 10 years since 14 young women were killed by a lone gunman in the Ecole Polytechnique in Montreal for the sole reason that they were women. On December 6, we renew our resolve to eradicate violence against women everywhere with a national minute of silence at 14:15 (est).

INTERCEDE will commemorate and honour this day at its December 5th meeting at Cecil Community Centre where Jo Alcampo of the Women's Counselling Referral and Education Centre will speak on the need for all members and institutions of society to work together so that women will be able to live free of violence and the threat of violence.

CHRISTMAS POT-LUCK AND GIFT GIVING

Sunday, December 5, 1999

3 - 6 p.m.

Cecil Community Centre, 58 Cecil Street

We will observe the National Day of Remembrance and Action

On Violence Against Women

Speaker: Jo Alcampo

Women's Counselling Referral & Education Centre

Presentation: What are your OWWA benefits?

by Romy Young, Philippine Labour Attache

Merry Christmas and Happy new year to all !

International Convention would protect migrant workers' rights *(from p.1.)*

In a world made smaller by economic globalization, stiff competition for corporate profits is pushing down the cost of human labour while the gap between rich and poor is increasing and making more people poorer everyday. More workers are migrating, roaming the world looking for jobs and security, and more and more of those migrating are women.

Canada has been a destination of domestic workers and caregivers coming from less-developed countries such as the Caribbean and the Philippines for decades. Canada is also in the market for cheap migrant labour in other sectors of our economy.

Because of the increasing number of migrant workers entering the country, INTERCEDE considers it important for the Canadian government to sign the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

However, the Canadian government has resisted ratifying this Convention for reasons that are not convincing to us. We are undeterred. We will continue our campaign to get Canada to sign and ratify the migrant rights convention and this will be our key demand as we join the world march of women in the year 2000.

Human rights Act must protect migrant domestic workers.

INTERCEDE joined the voices of those calling for the Act to apply to immigration laws and policies and to trade agreements which the government enters into. The Canadian Human Rights Commission should be able to screen government laws and policies to ensure they do not violate the Act.

Foreign domestic workers and caregivers admitted to Canada experience violation of their fundamental human rights endemic in the immigration Live-in Caregiver Program (LCP) and its requirements.

To begin with, they are discriminated against when the condition for their admission into Canada differs unfavourably from other immigrants or workers entering the country. As domestic caregiver workers, they are admitted as temporary visitors only, with no rights or choices guaranteed; they are not admitted as landed immigrants with most rights and free choices intact.

For example, the restrictive conditions of the LCP do not allow women to be accompanied by their children or families, thus leading to a forced separation of up to three years or much more, a situation which has caused much

difficulty and many tragic consequences.

For their legal status and existence in Canada, foreign domestic workers and caregivers are made dependent on one specific employer in whose household they must live and where they perform a combination of household and caregiving work. This amounts to a condition of forced and compulsory labour which these women workers have absolutely no control over. If they "moonlight" in another job, for example, they are already in violation of the Program and could be liable for deportation, as is the case of Leticia Cables in Edmonton who is currently fighting a deportation order.

Because they must perform live-in work as a condition of their legal status in Canada, these women workers are not able to exercise any control over their hours of work and are severely limited in their ability to enforce even the rights they may be entitled to under provincial employment standards. Often, the only "choice" foreign domestic workers have in the LCP is to tolerate employer abuse.

The live-in requirement prevents these migrant domestic workers from having any choice over where to live and how to live. Putting a lock on the door is not a decision they can make, thus, they are limited in the exercise of their right to privacy. But worse, this requirement makes them vulnerable to sexual harassment and other forms of violence against women, including rape.

Act must lead to equality

Canada's Human Rights Act must not only prevent discrimination but it must concretely advance equality.

We called for amendments to the Act which would effectively eradicate systemic discrimination and which would effect Canada's compliance with its international human rights commitments.

Finally, there was strong consensus that the Human Rights Act must prohibit discrimination on the basis of class, that is, discrimination against low-income people and the poor, and we joined the call to include social and economic rights in the Act.

Register and be Updated!
Emergency First Aid with Infant/Child CPR
December 12, 1999 10 - 6 pm
 Please register before Dec. 9, 1999 by:
 sending a cheque of \$51.36 payable to
 St. John Ambulance and
 mail to INTERCEDE at 234 Eglinton Ave. E., S-205
 Toronto, ON M4P 1K5

**END POVERTY, STOP VIOLENCE
JOIN THE WORLD MARCH OF WOMEN!**

In the year 2000, women around the world will be marching to end poverty and eradicate violence against women.

INTERCEDE is alerting members and friends and asking that all of you join and make our presence known throughout the events of the year, starting from the worldwide launch on March 8, 2000 and culminating on October 17, 2000, the International Day for the Eradication of Poverty.

So mark your calendar and call us to make your commitment to be there. Let us march for the millions of migrant women and domestic workers fighting for their rights and struggling to make this a better world for our children and our families.

Among the goals of the world march of women is to demand that governments improve the quality of women's lives, to promote equality between men and women and among women, and to connect women's struggles around the world.

INTERCEDE's principal demand is to end discrimination against domestic workers and migrant workers in Canada and for the Canadian government to recognize and promote their human rights by ratifying the International Convention on the Protection of the Rights of All Migrant Workers and their Families.

In June, INTERCEDE will be coordinating a march in at least five cities to be led by domestic workers and migrant domestic workers in the LCP to highlight this demand on the occasion of International Migrant Workers' Day. This will be among our activities leading to the final activities of the women's march on October 17th.

Already, 3000 women's groups in 140 countries have signed on to the world march of women 2000. So don't miss out because your voice must be heard - we are marching to eliminate poverty, in particular, women's poverty; we are marching to end all forms of discrimination and violence against women. Call INTERCEDE today and make your commitment.

VANCOUVER CDWCR
*Committee for Domestic Workers'
& Caregivers' Rights*
(an INTERCEDE Affiliate)
Contact Julie or Lorina (604) 874-0649

BRIDGING COURSE FOR WOMEN

Bridging Courses are offered in neighborhoods throughout the Greater Toronto Area. They provide an excellent opportunity for women to improve their English reading, writing and speaking skills as well as critical thinking. Many bridging students have enrolled at York University and completed their degrees.

- A low cost course that prepares you for university or higher education.
- A low cost non-credit course for which you don't need a student permit.
- A grade of "B" or better will qualify you for admissions to York University's Atkinson College.
- Bridging courses provide a supportive and stimulating atmosphere, where minds and lives are open to possibilities.
- Course participants must be 21 years of age.
- Classes will be on weekends to fit your workschedule.
- Classes will begin in January.

For further information call INTERCEDE (416) 483-4554

Mark your calendar

Next MONTHLY MEETINGS:

Sunday, January 9, 2000 3-5 pm

Topic: Human Rights

Sunday, February 6, 2000 3-5 pm

Topic: You and Your Landlord

REMINDER:

Holiday Season is fast approaching and there are several days that are considered statutory holidays :

December 25 , (Saturday) Christmas Day

December 26 (Sunday) Boxing Day

January 1st (Saturday) New Years Day

If you are a domestic worker or caregiver who has been employed for 3 months or more, you are entitled to the above statutory holidays. If those Saturdays and Sundays happen to be your off days you are entitled to another 3 free days.

QUESTION AND ANSWER

Q1- My husband and I are Canadian citizens. I would like to sponsor my father but I only work part-time and my salary does not meet the low income cut-off (LICO). My husband works full-time and has a salary sufficient enough to meet the requirement. Can he co-sign or a co-sponsor so I'll be qualified to sponsor my father?

Answer: Yes, your husband can be your co-signer to make sure that you have the required income for the past 12 months. Also, you have to provide proof of employment and earnings like employment certification, T4, ROE, or pay stubs and you are required to submit your Income Tax Assessment.

Q2- Three years ago, I arrived in Canada with my father and two younger sisters as Permanent Residents. Our papers were processed concurrently with my mother's application for Permanent Residence under the Live-In Caregiver Program. While our Immigration papers were being processed my girlfriend gave birth to our son. I went home after one year and married my girlfriend. Now, I want to sponsor my wife and son. Will I be questioned by Immigration if I include our son who was never reported as my dependent?

Answer: Yes, Immigration may clarify with you this misrepresentation. It was obvious that you deliberately withheld the information about your dependent when you came to Canada. Be prepared for the delay of your sponsorship and I advise you to call INTERCEDE or contact a Community Legal Aid Clinic that is close to your area of residence.

Q3- I am a live-in caregiver for an elderly employer and will be two years in the program by April 2000. The children of my employer told me that they are putting their mother in a nursing home in January 2000. This means that I would be unemployed and would have to look for another employer which will delay the completion of my two years. One of my employer's children offered me work as her babysitter until the expiry of my Employment Authorization and until my two years is completed. I am tempted to accept the offer. Will I be violating any rules?

We wish to thank the Citizenship and Immigration Canada Immigration Settlement and Adaptation Program; (ISAP) and Job Search Program With COSTI-OCASI: Status Of Women Canada; Canadian Heritage, Multiculturalism Program; Ministry of Citizenship, Culture & Recreation (NSP) and the Municipality of Toronto for their financial support.

Answer: Technically you would be in violation because you will be working with an employer not stated in your Employment Authorization. Your employer's daughter might as well get a validated offer of employment from the Human Resource Centre so you can apply for a new Employment Authorization.

Q4- My employer does not declare the right amount of my gross income to Revenue Canada although I receive the correct amount for my net salary. I accepted this arrangement but how will this affect my income when I sponsor my parent?

Answer- It is very important for you to have the required amount of income when you sponsor your parents. There is an income requirement for you to meet before your sponsorship can be accepted. In addition, your gross income must be reflected properly so you can pay the right amount for your deductions like CPP, EI and Income Tax.

Q5- I have been renting a basement apartment for more than one year and my landlord promised to repair a broken window, put a door for private entrance and install a fire alarm system. Any suggestion so my landlord will comply with his obligations?

Answer- Next time you pay your rent write your complaint and ask your landlord to make the necessary repairs and be sure to keep a copy of your letter. You can also tell your landlord that you are going to make a report or file a formal complaint if his building does not meet fire standard requirements.

Enroll Now for a
FREE JOB SEARCH WORKSHOP

At George Brown College

Next schedule starts on Jan. 9, 16, 23 and 30, 2000

(every Sunday from 10 am to 5 pm)

For further information and to register call

INTERCEDE 483-4554/486-0548

INTERCEDE SERVICE UNIT

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